## IN THE DISTRICT COURT OF GUAM TERRITORY OF GUAM **CRIMINAL MINUTES** TRIAL

CASE NO.: CR-08-00004 DATE: July 01, 2008

HON. FRANCES M. TYDINGCO-GATEWOOD, Chief Judge, Presiding Law Clerk: Sara Weber Court Reporter: Wanda Miles

Courtroom Deputy: Carmen B. Santos Electronically Recorded: 8:59:21 - 10:15:38

> 10:37:41 - 11:57:38 1:34:32 - 2:42:56 3:04:27 - 4:23:39

APPEARANCES:

Defendant: Eun Young Lee Attorney: Richard Arens

Mark Smith Marcelino Laserna John Duenas Cynthia Ecube Mary Garcia Leilani Lujan Joseph Pangelinan Louie Yanza Francisco Kawamoto Stephanie Flores

Margaret Untalan Rawlen Mantanona

✓ Present □ Custody □ Bond □ P.R. ✓ Present ✓ Retained ✓ FPD ✓ CJA

U.S. Attorney: Karon Johnson U.S. Agent: K. Klocke, FBI

U.S. Probation: None Present

Interpreter: Language:

## PROCEEDINGS: Jury Trial - Day 17

• Witnesses sworn and examined; exhibits marked and admitted - see attached Exhibit and Witness List, AO Form 187 (and 187a, when applicable).

• Closing Argument by the plaintiff. Jury Trial (Day 18) - Defendants' Closing Arguments, Prosecutor's Rebuttal Closing Arguments, Concluding Jury Instructions continued to July 2, 2008 at 9:15 A.M. Jurors to deliberate on July 2, 2008.

NOTES: Jurors to report by 8:45 AM, 7/2/08.

PRESII	DING JU	DGE				PLAINTIFF'S ATTORNEY	DEFENDANT'S ATTORNEY	
							RICHARD ARENS, MARK SMITH,	
ED	ANCE	CM TV	DINCC	CATEW	ZOOD.	KADON IOUNGON	CYNTHIA ECUBE, LEILANI LUJAN,	
I I	ANCI	25 MI. I I	DINGCO	O-GATEW	UUD	KARON JOHNSON	LOUIE YANZA, STEPHANIE	
							FLORES, RAWLEN MANTANONA	
HEAR	ING D	ATE (S)				COURT REPORTER	COURTROOM DEPUTY	
		11, 12, 1	3. 2008					
		7, 18, 19, 2						
		, 10, 15, 2 l, 25. 26,				WANDA MILES	CARMEN B. SANTOS	
		JLY 1, 20,						
		•		ı	DATE			
JOINT NO.	INT PLTF DEF. DATE DATE ADMITTE			ADMITTE	DESCRIPTION OF EXHIBITS* AND WITNESSES			
	D			D	0.50.01 D ' D 17. I 1 1 2000			
						8:59:21 - Begin Day 17 - July 1, 200	J8	
						9:02:40 - Jurors seated		
						Defense counsel waive the opportun	nity to present opening statements and	
						proceed with their case in chief.		
						9:04:44 - Agent <b>Ken Klocke</b> called	and seated; DX by Mr. Yanza	
		U-U	6/11/08	7/1/08	C/11/00	Assignment of ITIN Number - Exhil	bit U-U offered by Ms. Lujan and admitted	
		U-U			6/11/08	without objection (Frank Blaz)	-	
	7/1/08 FBI Form 302 - Report of Investigation of Eun Young Lea		tion of Eun Young Lee dated 12/31/07,					
			identified by Mr. Arens and admitted by the court (Agent Kline) admitted for					
						purposes of motion for discovery - I		
		TT A	6/13/08	7/1/08	6/12/00		Assignment of ITIN Post December 13, 2003, offered by Mr. Yanza and	
		U-A			6/13/08		me as Exhibit U-P 248) (Jesse Salas)	
		*** **	6/12/08	7/1/08	c /4 2 /00	Assignment of ITIN Number for Sar	m Rang Lee - offered by Mr. Mantanona and	
		U-R			6/12/08	admitted without objection (Jesse Sa		
			6/13/08	7/1/08			oung Joo Baek - offered by Mr. Yanza and	
		U-S			6/13/08	admitted without objection (Jesse Sa		
			6/12/08	7/1/08		Assignment of ITIN Number for Lee Mi Young - offered by Mr. Manta		
		U-T		,,,,,,,,	6/12/08	admitted without objection (Jesse Salas)		
			6/10/08	7/1/08			he Driver's License Branch, Department of	
		U-P			6/10/08			
		p 159	p 159   Waltanona and admitted wing objection (Frank Blaz)		77 17 17 17 17 17 17 17 17 17 17 17 17 1			
			6/11/08	7/1/08			n Department of Revenue and Taxation	
	85			.,,,,,,,	6/11/08		perating Procedure for Licensing Division,	
						offered by the Government, admitted		
						9:59:01 - DX by Mr. Mantanona	a want objection (1 min 2 mz)	
			6/11/08	7/1/08		, and the second	n Department of Revenue and Taxation	
	85		5, 11, 00	,,1,50	6/11/08		perating Procedure for Licensing Division,	
	0.5				3,11,00	offered by the Government, admitted		
						10:05:34 - DX by Ms. Flores		
			6/19/08	7/1/08		ITIN Letter given to Sang Ho Kim b	ov Lee on 1/31/05 offered by Mr	
	83		3,17,00	7,1,00	6/19/08	Mantanona, admitted, without object		
			6/9/08	7/1/08	6/16/08		ed by Government; Objections made;	
	60		0, 7,00	7/1/00	6/10/08	conditionally admitted 6/10/08, adm		
			6/11/08	7/1/08			form; offered by the Government and	
	15		5/11/08	7/1/00	6/11/08	admitted without objections (Frank		
						10:57:56 - DX by Ms. Lujan	DIUL	
			6/17/08	7/1/08			applications, offered by the Government and	
	75		0/1//08	// 1/00	6/17/08	admitted, with the exception of 75-2		
			6/10/09	7/1/08			he Driver's License Branch, Department of	
		U-P	6/10/08	//1/08	6/10/08			
		p 156			0/10/08		Mr. Mantanona and admitted without	
<u> </u>			6/9/08	7/1/08		objection (Frank Blaz)	vernment and admitted, without objections	
	1		0/9/08	//1/08	6/9/08		verimient and admitted, without objections	
			l		l	(Frank Blaz)		

PRESII	DING JU	JDGE				PLAINTIFF'S ATTORNEY	DEFENDANT'S ATTORNEY
			DINGCO	O-GATEW	OOD	KARON JOHNSON	RICHARD ARENS, MARK SMITH, CYNTHIA ECUBE, LEILANI LUJAN, LOUIE YANZA, STEPHANIE FLORES, RAWLEN MANTANONA
		PATE (S)				COURT REPORTER	COURTROOM DEPUTY
JUNE JUNE	16, 17 23, 24	, 11, 12, 1 7, 18, 19, 2 1, 25. 26, JLY 1, 20	20, 2008 27, 2008			WANDA MILES	CARMEN B. SANTOS
JOINT NO.				ADMITTE	DESCRIPTION OF EXHIBITS* AND WITNESSES		
	14-5		6/27/08	7/1/08	6/27/06	defendants between 2/20/04 and 11 number, ITIN, IRS report of each I date application was entered into the	t of license applications accepted by /28/05 showing applicant, driver's license IIN status, address on application, time and we MVD computer, date of written test, date of ernment and admitted, with objections (Agent
	20		6/9/08	7/1/08		MVD file for - Young Min Ko - off conditionally admitted 6/10/08, adm	fered by Government; Objections made; nitted 6/16/08 with objections.
60 6/9/08 7/1/08 6/16/08 MVD file for - Sang Ho Kim - offered by Gove. 6/10/08 conditionally admitted 6/10/08, admitted 6/16/0		red by Government; Objections made;					
	83		6/19/08	7/1/08	6/19/08	ITIN Latter given to Song Ho Vim by Lee on 1/21/05 offered by Mr	
	67-3 67-4		6/9/08	7/1/08	6/16/08 6/10/08		red by Government; Objections made;
					0, 20, 00	11:34:44 - DX by Mr. Smith	
	15		6/11/08	7/1/08	6/11/08		form; offered by the Government and Blaz)
TME 19				7/1/08			of Marcelino J. Laserna dated 6/21/07
TME 22				7/1/08		FBI Form 302 Investigative report of	of Marcelino J. Laserna dated 2/01/08
						11:51:54 - CX by Ms. Johnson	
	14		6/27/08	7/1/08	6/27/06	defendants between 2/20/04 and 11 number, ITIN, IRS report of each I date application was entered into th issuance of license; offered by Gov Klocke)	t of license applications accepted by /28/05 showing applicant, driver's license IN status, address on application, time and the MVD computer, date of written test, date of the ernment and admitted, with objections (Agent
	75		6/17/08	7/1/08	6/17/08	Lee's affirmation of handwriting on applications, offered by the Government an admitted, with the exception of 75-2 and 75-29 (Agent Kline)  11:57:12 - 1:34:32 - Lunch break	
						1:35:28 - Witness Jesse Salas calle	d and seated; reminded he is still under oath
			610100	7/1/00	C/1 C/00	1:36:55 - DX by Mr. Yanza	11 0
	26-1		6/9/08	7/1/08		conditionally admitted 6/10/08, adn	ed by Government; Objections made; nitted 6/16/08 with objections.
						1:44:00 - DX by Mr. Mantanona	
						1:44:39 - DX by Ms. Flores 1:45:51 - DX by Ms. Lujan	
			6/9/08	7/1/08	6/16/08		ed by Government; Objections made;
	26-1		5, 7, 50	7,1,00		conditionally admitted 6/10/08, adm 1:46:56 - DX by Mr. Arens	
						1:47:46 - CX by Ms. Johnson	
	2.5.1		6/9/08	7/1/08	6/16/08		ed by Government; Objections made;
	26-1				6/10/08	conditionally admitted 6/10/08, adm	
	85		6/11/08	7/1/08		Pages 156, 157, 158 and 159 - Guar	m Department of Revenue and Taxation Operating Procedure for Licensing Division,

PRESI	DING JU	JDGE				PLAINTIFF'S ATTORNEY	DEFENDANT'S ATTORNEY	
FF	RANCI	ES M. TY	DINGCO	O-GATEW	OOD	KARON JOHNSON	RICHARD ARENS, MARK SMITH, CYNTHIA ECUBE, LEILANI LUJAN, LOUIE YANZA, STEPHANIE FLORES, RAWLEN MANTANONA	
HEAR	ING D	ATE (S)				COURT REPORTER	COURTROOM DEPUTY	
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		7, 18, 19,				WANDA ME EG	CADMENIA CANTOG	
			27, 2008			WANDA MILES	CARMEN B. SANTOS	
		JLY 1, 20						
JOINT NO.	DATE			ADMITTE	DESCRIPTION OF EXHIBITS* AND WITNESSES			
						1:58:44 - Re-DX by Mr. Arens		
						1:59:38 - Witness Salas excused		
						2:00:03 - Artemio Ilagan, called a	and sworn	
						2:00:59 - DX by Mr. Mantanona		
			6/11/08	7/1/08			am Department of Revenue and Taxation	
	85				6/11/08		Operating Procedure for Licensing Division,	
						offered by the Government, admitt	ted without objection (Frank Blaz)	
						2:08:17 - CX by Ms. Johnson		
	1-1 1-4 1-5		6/9/08	7/1/08	6/9/08	Exhibit 1 pages 1-24 offered by Government and admitted, without objections (Frank Blaz)		
	1 5		6/11/08	7/1/08		Pages 156, 157, 158 and 159 - Gua	am Department of Revenue and Taxation	
	85-1		0,11,00	771700	6/11/08		Operating Procedure for Licensing Division,	
	05 1				0/11/00	offered by the Government, admitt		
						2:20:17 - Re-CX by Mr. Mantanor		
						2:20:17 - Re-CX by Mr. Mantanona 2:24:49 - DX by Ms. Flores		
			6/11/08	7/1/08			am Department of Revenue and Taxation	
	85-1		0,11,00	77 27 00	6/11/08			
	-				0,, 0 0	offered by the Government, admitt		
	60-1		6/9/08	7/1/08		, , , , , , , , , , , , , , , , , , ,	,	
	60-3				6/16/08	MVD file for - Sang Ho Kim - offe	ered by Government; Objections made;	
	60-4				6/10/08	conditionally admitted 6/10/08, ad		
	60-5					, , , , , , , , , , , , , , , , , , , ,		
			6/19/08	7/1/08	6/10/00	ITIN Letter given to Sang Ho Kim	by Lee on 1/31/05, offered by Mr.	
	83				6/19/08	Mantanona, admitted, without obje	ections (Agent Klocke)	
						2:29:42 - DX by Mr. Arens	,	
			†			2:32:03 - DX by Ms. Lujan		
			1			2:33:07 - Witness Ilagan excused		
			†			2:33:21 - Defendant Margaret Unt	alan rests	
			+			2:33:24 - Defendant Francisco Kay		
			1			2:33:26 - Defendant Joseph Pange		
			+			2:33:28 - Defendant Mary Garcia		
			+			2:33:30 - Defendant Mary Garcia i		
			<del> </del>					
			1			2:33:33 - Defendant Marcelino La		
			ļ			2:33:37 - Defendant Eun Young L	ee rests	
						2:36:48 - Jurors excused		
						2:42:56 - 3:04:27 - Afternoon brea	k - sets up for closing arguments	
						3:05:29 - Jurors seated		
						3:06:37 - Closing Argument by Ma	s. Johnson	
						4:24:21 - Prosecution Closing Arg		
						4:27:47 - Jurors excused	-	
			<b>†</b>			4:34:49 - End Day 17		
						2 2		